

1 MICHELLE ROBERSON,

2 Plaintiff,

3 v.

4 KAISER FOUNDATION HOSPITALS,
5 et al.,

6 Defendants.

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8 NO. C04-1043 TEH9
10 ORDER IMPOSING SANCTIONS
11 ON JAYNELLE BELL12
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14 This matter came before the Court on Monday, August 15, 2005, at 10:00 AM for an
15 order to show cause as to why monetary or other sanctions should not be imposed against
16 Jaynelle Bell, counsel for Plaintiff, for her inability to follow court rules and orders in this
17 case. Ms. Bell failed to appear, and the Court's courtroom deputy phoned her office at
18 10:05 AM to inquire about her whereabouts. Ms. Bell answered the telephone and said that she
19 did not have the OSC on her calendar. She informed the Court's deputy that she could be in
20 court for an 11:30 AM appearance, and the Court therefore continued the hearing to
21 11:30 AM.22 Kathleen Hurly, counsel for Defendants, appeared timely at 10:00 AM. Due to
23 Ms. Bell's inability to maintain her calendar accurately, Ms. Hurly was forced to spend an hour
24 and a half needlessly waiting for Ms. Bell to arrive for the hearing. The Court is informed that
25 Ms. Hurly's hourly rate is \$235. Consequently, the Court HEREBY ORDERS Ms. Bell to pay
26 \$352.50 to Ms. Hurly for wasting an hour and a half of her time. The Court may, in a separate
27 order, impose sanctions payable to the Court in addition to the \$352.50 sanction payable to
28 Ms. Hurly.

1 The \$352.50 sanction must be paid no later than **Tuesday, August 16, 2005, at**
2 **4:00 PM.** Ms. Bell shall file proof of transmittal of payment with this Court no later than
3 **Tuesday, August 16, 2005, at 5:00 PM.** This sanction is due solely to Ms. Bell's
4 incompetence, and Ms. Bell shall not attempt to recover cost of this payment from her client.

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6 **IT IS SO ORDERED.**

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8 DATED 08/15/05


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10 THELTON E. HENDERSON, JUDGE
11 UNITED STATES DISTRICT COURT